

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

UNITED STATES OF AMERICA

v.

JON MIKAL IRVIN

§
§
§
§
§

CRIMINAL NO. 2:08-CR-009-1

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

The Court referred a petition, alleging violation of supervised release conditions, to United States Magistrate Judge John Love for consideration pursuant to applicable laws and orders of this Court. The Court has received and considered the Report of the United States Magistrate Judge filed pursuant to such order, along with the record, pleadings, and all available evidence.

At the close of the September 5, 2018, revocation hearing, Defendant, defense counsel and counsel for the government signed a standard form waiving their right to object to the proposed findings and recommendations contained in the United States Magistrate Judge's report, consenting to revocation of supervised release and consenting to the imposition of the sentence recommended in the report. Defendant also waived his right to be present and speak before the District Judge imposes the recommended sentence. Therefore, the Court may act on the report and recommendation immediately.


Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. It is therefore

ORDERED that Defendant's plea of true to allegations as set forth in the government's petition be **ACCEPTED**. Based upon Defendant's plea of true to the allegations, the Court finds that Defendant violated the conditions of his supervised release. It is further **ORDERED** that

Defendant's supervised release be **REVOKED**. Judgment and commitment will be entered separately, in accordance with the Magistrate Judge's recommendations. It is further

ORDERED that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of ten months, with three years supervised release to follow to include up to 90 days in a halfway house. The Court also **RECOMMENDS** that the place of confinement be Texarkana, Texas, and sex offender counseling and treatment while in the custody of the Bureau of Prisons.

So ORDERED and SIGNED this 6th day of September, 2018.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE